

California MEDICAL ASSOCIATION

NOTICES & REPORTS

Council Meeting Minutes

Tentative Draft: Minutes of the 428th Meeting of the Council, San Francisco, Mark Hopkins Hotel, November 10, 1957.

The meeting was called to order by Chairman Lum in the Argonaut Room of the Mark Hopkins Hotel, San Francisco, on Sunday, November 10, 1957, at 9:45 a.m.

Roll Call:

Present were President MacDonald, President-Elect West, Speaker Doyle, Vice-Speaker O'Neill, Secretary Daniels and Councilors MacLaggan, Wheeler, Foster, Wadsworth, Pearman, Harrington, Sherman, Lum, Bostick, Teall, Kirchner, Reynolds, Varden, Heron, Rosenow and Hoyt. Absent for cause, Councilor McPharlin and Editor Wilbur.

A quorum present and acting.

Present by invitation during all or part of the meeting were Messrs. Hunton, Thomas, Clancy and Gillette of C.M.A. staff; Messrs. Howard Hassard and Robert Huber of legal counsel; Messrs. Read and Salisbury of the Public Health League of California; county society executives Scheuber of Alameda-Contra Costa, Geisert of Kern, Pettis of Los Angeles, Field of Los Angeles, Marvin of Riverside, Foster of Sacramento, Donmyer of San Bernardino, Nute of San Diego, Neick of San Francisco, Thompson of San Joaquin, Wood of San Mateo and Donovan of Santa Clara; Doctors F. J. Cox, D. O. Kilroy, Donald M. Campbell, J. R. Upton and Andrew M. Henderson, Jr.; Doctors A. E. Larsen and William Gardenier and Messrs. Anthon Robertson, Richard Lyon, K. L. Hamman and Wilson Walberg of California Physicians' Service; Doctors Jay Ward Smith, Malcolm Watts and Walter Macpherson, representing the Stanford, University of California and College of Medical Evangelists medical schools, respectively; Doctor Marshall Porter, State Director of Mental Hygiene; Doctor Fred Kriete of the State Department of Public Health; Mr. George Wyman, State Director of Social Welfare; Doctor Henry Gibbons III of San Francisco, and Messrs. Hamilton

Wright and William Thompson of Robert Heller and Associates of Cleveland.

The chairman introduced Doctor Werner Hoyt of Mount Shasta, who was appointed as a Councilor-at-Large to succeed the late Doctor Hollis L. Carey.

A stenotype reporter was present.

1. Minutes for Approval:

(a) On motion duly made and seconded, minutes of the 427th meeting of the Council, held September 14, 1957, were approved.

(b) On motion duly made and seconded, minutes of the 266th meeting of the Executive Committee, held October 16, 1957, were approved.

2. Membership:

(a) A report of membership as of November 8, 1957, was submitted and ordered filed.

(b) On motion duly made and seconded, 25 delinquent members whose dues have now been paid were voted reinstatement.

(c) On motion duly made and seconded in each instance, four applicants were elected to Associate membership. These were: Carrie E. Chapman, Alameda-Contra Costa County; Leroy K. Mills, Sacramento County, and Robert S. Goldsmith, and Plato J. Grivas, San Francisco County.

(d) On motion duly made and seconded, Doctor

FRANK A. MacDONALD, M.D.	President
FRANCIS E. WEST, M.D.	President-Elect
JAMES C. DOYLE, M.D.	Speaker
J. NORMAN O'NEILL, M.D.	Vice-Speaker
DONALD D. LUM, M.D.	Council Chairman
ALBERT C. DANIELS, M.D.	Secretary-Treasurer
IVAN C. HERON, M.D.	Chairman, Executive Committee
DWIGHT L. WILBUR, M.D.	Editor
JOHN HUNTON	Executive Secretary
General Office, 450 Sutter Street, San Francisco 8	
ED CLANCY	Director of Public Relations
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Eugen Reinartz of Monterey County was elected to Retired Membership.

(e) On motion duly made and seconded in each instance, reductions of dues were granted to two applicants because of illness or postgraduate study.

3. *Financial:*

(a) A report of bank balances and related items as of November 8, 1957, was submitted and ordered filed.

(b) A report of income and expenditures for October and for the four months ended October 31, 1957, was submitted and ordered filed.

4. *Building Committee:*

Councilor Heron reported for the Building Committee appointed by the Executive Committee to consider the purchase of a San Francisco building at 693 Sutter St., for use as Association headquarters. Chairman of the committee was Dwight L. Wilbur, members Ivan C. Heron, Edward C. Rosenow, Jr., Warren Bostick, Frank A. MacDonald and Francis E. West.

The committee's report was distributed to the Council, together with exhibits prepared by the executive secretary and by experts in the real estate, banking and construction fields. Doctor Heron answered several questions raised by Councilors who had examined the property.

On motion duly made and seconded, it was voted to purchase this property, for delivery on or about July 1, 1959, through the Trustees of the California Medical Association or such other corporate entity as legal counsel might recommend.

5. *California Physicians' Service:*

Councilor Reynolds, newly elected chairman of the Board of Trustees of California Physicians' Service, introduced to the Council Mr. Anthon Robertson, newly elected president of C.P.S.

Doctor Reynolds explained the steps that had been taken in the reorganization of C.P.S. and Mr. Robertson expressed his desire to work closely with the C.M.A. Council and House of Delegates.

6. *State Department of Public Health:*

Doctor Fred Kriete of the State Department of Public Health, reported on the status of poliomyelitis and influenza cases in California, pointing out that influenza deaths to date outnumbered those from poliomyelitis three times.

Doctor Kriete also reported the establishment of an Alcoholic Rehabilitation division within the department, under the head of Doctor John Philp. No substantive changes in program are planned at this time.

Doctor Kriete also reported that meetings had been held with six regional committees on rabies

control and that the program authorized by the 1957 Legislature was under way.

7. *Legislation:*

Mr. Hassard reported that a State Senate interim committee was seeking the Association's suggestions on the proposed establishment of a State Department of Health, which would assume the state's licensing and regulatory functions in the field of the healing arts and, through another division, continue the functions of the present Department of Public Health. He asked Council direction on the presentation to be made to this committee. On motion duly made and seconded, it was voted to reaffirm the earlier policy in favor of this type of reorganization of these state functions.

8. *Commission on Medical Services:*

Doctor Francis J. Cox discussed several programs which have been discussed by the Commission on Medical Services and several of its subcommittees.

On motion duly made and seconded, it was voted to recommend that the Relative Value Study, at a factor of \$5, be applied to services provided under the Crippled Children's Program and opposition to a per diem hospital rate be reaffirmed.

On motion duly made and seconded, it was voted to place the program of Medical Care to Public Assistance Recipients under the Committee on Government-Financed Medical Care Programs.

On motion duly made and seconded, it was voted that activities in the field of vocational rehabilitation be handled by the Commission on Medical Services.

On motion duly made and seconded, it was voted to approve the revised edition of the Relative Value Study, including some additional items and other changes made to eliminate duplications and typographical errors.

9. *Structural Study of C.M.A.:*

Messrs. Hamilton Wright and William Thompson of Robert Heller and Associates, Inc., of Cleveland, Ohio, presented a progress report on their study of the structure, activities, etc. of the Association, and answered questions. A final report is to be made at a meeting of the Council scheduled to be held in San Francisco on December 14, 1957.

10. *State Department of Social Welfare:*

The chairman introduced Mr. George Wyman, Director of the State Department of Social Welfare, who expressed his desire to work in cooperation with the Association on matters of mutual concern.

11. *State Director of Mental Hygiene:*

The chairman introduced Doctor Marshall Porter, Director of the State Department of Mental Hygiene, who expressed approval of the new community mental health program and asked cooperation.

12. *Committee on Blood Banks:*

Doctor Andrew M. Henderson, Jr., chairman of the Committee on Blood Banks, presented a report on the activities of blood banks in the California system, including suggestions for uniform standards to be adopted by all blood banks claiming sponsorship by the Association. On motion duly made and seconded, it was voted to thank the chairman for this report and to consider further action following the February, 1958, meeting of the California Blood Bank System, Inc.

13. *Committee on Legislation:*

Mr. Ben Read of the Public Health League of California reported several interim committees of the State Legislature were active and that medical representation had been furnished to such committees.

Doctor Dan O. Kilroy, chairman of the Committee on Legislation, reviewed the public welfare legislation and reported on a proposal to transfer to the state the welfare programs now carried on by the counties. On motion duly made and seconded, it was voted to go on record as opposing this proposed move.

Mr. Hassard reported on two proposals now before the Congress relative to the provision of hospital care, nursing care and surgery for Social Security beneficiaries.

14. *Public Relations:*

Mr. Clancy reported that consideration was being given by the American Medical Association to publication of a tabloid form of news bulletin to reach all A.M.A. members.

15. *Governmental Medical Programs:*

On motion duly made and seconded, it was voted that the Council give a special directive to the Commission on Medical Services to study and re-evaluate the status of governmental encroachment on and intervention in the practice of medicine and to recommend policies and a program of specific action by the Association as a basis for future decisions by the Council, this study to be undertaken at once and reported back to the Council for action prior to the 1958 Annual Session.

16. *Relative Value Study:*

Discussion was held on the recommendation of the Commission on Medical Services that the Relative Value Study, at factors of \$4 and \$5 respectively, be applied to the current fee schedules A and B of California Physicians' Service. On motion duly made and seconded, it was voted to receive this recommendation and transmit it to California Physicians' Service for its consideration jointly with the Commission on Medical Services.

17. *Medical Review and Advisory Board:*

Discussion was held on the filling of vacancies on the Commission on Professional Welfare, the Medical Review and Advisory Board and the Council's Liaison Committee with the California State Bar caused by the resignation of Doctor Joseph F. Sadusk, Jr.

On motion duly made and seconded, it was voted to accept, with regret and with thanks for past services, Doctor Sadusk's resignation as chairman and a member of the Commission on Professional Welfare and the Medical Review and Advisory Board. In his resignation Doctor Sadusk pointed out that in his acting as liaison between the Medical Review and Advisory Board and the Council he (1) had not at any time brought before the Council any matter which had not been previously reviewed and formally approved by the Board, and (2) had not at any time acted for the Board in matters requiring implementation on which a policy decision had not been previously reached by the Board in formal vote.

On motion duly made and seconded, it was voted to appoint Doctor Carl M. Hadley as chairman of the Commission and the Board.

On motion duly made and seconded, it was voted to appoint Doctor C. J. Attwood as a member and Doctor Francis E. West as chairman of the Council's special Liaison Committee with the California State Bar.

18. *Insurance Claims Forms:*

On motion duly made and seconded, it was voted to refer to the Commission on Medical Services a proposed insurance claims form submitted by a county medical society.

19. *School Health:*

Discussion was held on proposals advanced for furnishing medical services to students in certain types of state colleges. On motion duly made and seconded, it was voted to refer this question to the Commission on Public Health and Public Agencies for review.

20. *Public Assistance Medical Care Program:*

Discussion was held on a request from the Kern County Medical Society that the fiscal agent for the public assistance medical care program handle claims from all types of persons authorized by law to treat the public assistance recipients. On motion duly made and seconded, it was voted to reaffirm an earlier decision that the fiscal agent handle claims only from physicians and surgeons, dentists and pharmacists.

21. *Resolution No. 10, 1957 House of Delegates:*

Doctor Henry Gibbons III of San Francisco discussed Resolution No. 10 from the 1957 House of

Delegates and suggested that the Association establish a department of investigation of illegal medical practices. It was agreed to take this proposal under consideration.

22. *Medical Libraries:*

Councilor Heron reported that there is some concern by physicians in the Bay Area about the possible removal of the Lane Medical Library to another location where its services would not be readily available to some of its present users. The Association contributes to this library each year in consideration of its services being widely available.

23. *State Board of Nurse Examiners:*

A request for nomination of two candidates for appointment to the Advisory Council to the Board of Nurse Examiners, to succeed the late Ewing L. Turner, was received and it was agreed to make such nominations.

24. *Committee on Government-Financed Medical Care Programs:*

On motion duly made and seconded, it was voted to add to the membership of the Committee on Government-Financed Medical Care Programs the members of the Council's special liaison committee on the public welfare program, under the chairmanship of Doctor Harrington.

25. *Public Welfare Program:*

On motion duly made and seconded, it was voted

to approve a letter to county medical societies proposed by the liaison committee on the public-welfare program.

26. *Athletic Injuries:*

On motion duly made and seconded, it was voted to approve a first aid chart for athletic injuries, to be distributed to school authorities by the county medical societies.

27. *Medical Ethics:*

On motion duly made and seconded, it was voted to reiterate the support of the Association for the Principles of Medical Ethics of the American Medical Association, with particular reference to consultations with other practitioners and to urge all county medical societies to review their own actions in this regard.

28. *Time and Place of Next Meeting:*

It was agreed that the next Council meeting should be held in San Francisco on Saturday, December 14, 1957, at which time the principal item of business would be the receipt and consideration of the final report and recommendations to be made by Robert Heller and Associates.

Adjournment:

There being no further business to come before it, the meeting was adjourned at 5:30 p.m.

DONALD D. LUM, M.D., *Chairman*

ALBERT C. DANIELS, M.D., *Secretary*

Executive Committee Minutes

Tentative Draft: Minutes of the 266th Meeting of the Executive Committee, San Francisco, Sir Francis Drake Hotel, October 16, 1957.

The meeting was called to order by Chairman Heron in the Yosemite Room of the Sir Francis Drake Hotel, San Francisco, on Wednesday, October 16, 1957, at 2:30 p.m.

Roll Call:

Present were President MacDonald, Council Chairman Lum, Speaker Doyle, Auditing Committee Chairman Heron, Secretary Daniels and Editor Wilbur. Absent for cause, President-Elect West.

A quorum present and acting.

Present by invitation were Messrs. Hunton, Thomas, Clancy and Gillette of C.M.A. staff and Howard Hassard, legal counsel.

1. *Membership:*

(a) On motion duly made and seconded, Doctor William M. Byers of Los Angeles County was voted Retired Membership.

(b) On motion duly made and seconded, seven applicants were voted Associate Membership. These were: Fred S. Preuss, Sacramento County; John Gardner, Sara E. Sykes, Howard E. Weatherly, Los Angeles County; Robert S. Cox, Jr., San Francisco County; Roger F. Scherb, San Joaquin County, and Loren J. O'Connor, Santa Clara County.

(c) On motion duly made and seconded, reduction of dues was voted for six applicants because of prolonged illness or postgraduate study.

2. *Building Purchase Proposal:*

Discussion was held on the proposal to purchase a San Francisco building as office headquarters. The members of the committee recessed temporarily in order to inspect the building personally.

On motion duly made and seconded, it was voted to request a 30-day option from the present owners.

On motion duly made and seconded, it was voted to appoint a committee to study all aspects of this proposal and report to the Council. Doctor Wilbur was named as chairman of the committee, he to appoint the other members.

3. *Medical Review and Advisory Board:*

Discussion was held on the resignation of the chairman of the Commission on Professional Welfare and the Medical Review and Advisory Board. On motion duly made and seconded, it was voted to accept this resignation with regret but to request the chairman to remain as chairman of another special committee named by the Council to confer with the California State Bar.

On motion duly made and seconded, it was voted to accede to the request of some insurance carriers for the return of records loaned by them to the Medical Review and Advisory Board.

4. *State Department of Education:*

Doctor MacDonald reported on a request received by him for a nominee for appointment to the Advisory Committee to the State Department of Education on Public School Health. He nominated Doctor Ben J. Siebenthal of Sacramento, a pediatrician reportedly interested in this activity.

5. *Blood Banking:*

Mr. Hunton reported that financial reports received from Central California Blood Bank showed that for the past three months the bank has operated at a higher volume than ever before and had accumulated a surplus from these operations.

6. *Audio-Digest Foundation:*

On motion duly made and seconded, it was voted to approve a move whereby the sales of educational tapes and of recording machines by Audio-Digest Foundation might be put into two separate corporations.

7. *State Department of Mental Hygiene:*

Doctor MacDonald reported that Doctor Marshall E. Porter, new director of the State Department of Mental Hygiene, had indicated his desire to cooperate with the Association and it was agreed that he be invited to attend the next Council meeting.

8. *Committee on Other Professions:*

On motion duly made and seconded, it was voted to add two members to the Committee on Other Professions, so that subcommittees might be named to deal with other groups.

9. *C.M.A. Structural Survey:*

Messrs. Hamilton Wright and William Thompson of Robert Heller and Associates, who are currently surveying all C.M.A. activities and structure, were introduced to the committee and made a brief report on the scope of their anticipated inquiries.

10. *Council Meetings:*

On motion duly made and seconded, it was voted to employ stenotype reporters to attend Council

meetings and record and transcribe important portions of Council discussions.

Adjournment:

There being no further business to come before it, the meeting was adjourned at 6:45 p.m.

IVAN C. HERON, M.D., *Chairman*

ALBERT C. DANIELS, M.D., *Secretary*

PROPOSED CONSTITUTIONAL AMENDMENT

(Second Publication)

Under the terms of the C.M.A. Constitution, amendments to the Constitution must lie on the table until "the next session, other than a special session, of the House of Delegates." During this interim the proposed Constitutional amendment must be published "at least twice in separate issues of the official journal of the Association."

The proposed Constitutional amendment below was introduced at the 1957 session of the House of Delegates and will be considered and acted upon at the 1958 session of the House of Delegates. At that time, "if two-thirds of the Delegates present and voting vote in favor thereof, the same shall be adopted." (Article VIII, Section 3, Constitution.)

RESOLUTION

WHEREAS, The physician member population of the State of California has enjoyed tremendous growth in recent years; and

WHEREAS, These physician members are entitled to representation in the offices and council of the C.M.A.; and

WHEREAS, The Constitution of the C.M.A. as it is presently constituted, does not adequately provide this representation; and

WHEREAS, In order to grant all members the representation they are entitled to, the Constitution of the C.M.A. must be amended;

NOW, THEREFORE, The following amendments of the Constitution of the C.M.A. are herewith presented to this House of Delegates in accordance with Article VIII, Section 3, of said Constitution.

AMENDMENTS

ARTICLE III

Part B—Council

Section 9—Composition

The Council shall consist of:

(a) Each Councilor District, as specified in this Constitution, shall be entitled to one Councilor for each 1,000 members, according to its membership as of the first day of November of the preceding

year; provided that each Councilor District shall be entitled to a minimum of one Councilor.

(b) The President, President-Elect, Speaker and Vice-Speaker.

In addition, the Secretary-Treasurer, and Editor, ex-officio, without the right to vote.

(c) District Councilors shall be elected from the Councilor Districts.

(d) Elected Councilors from any one District shall not, at any time, exceed forty per cent (40 per cent) of the total Council membership.

Section 10—Councilor Districts

There are ten districts as follows:

District Number One, comprising San Diego County.

District Number Two, comprising Imperial, Orange, Riverside, San Bernardino, Mono and Inyo Counties.

District Number Three, comprising the County of Los Angeles.

District Number Four, comprising Ventura, Santa Barbara and San Luis Obispo Counties.

District Number Five, comprising Kern, Kings, Tulare, Fresno, Madera, Mariposa, Merced, Stanislaus, San Joaquin, Calaveras and Tuolumne Counties.

District Number Six, comprising Monterey, San Benito, Santa Cruz, Santa Clara and San Mateo Counties.

District Number Seven, comprising San Francisco County.

District Number Eight, comprising Alameda County and Contra Costa County.

District Number Nine, comprising Marin, Solano, Napa, Sonoma, Lake, Mendocino, Humboldt and Del Norte Counties.

District Number Ten, comprising Sacramento, Amador, Alpine, Eldorado, Placer, Nevada, Sierra, Yuba, Sutter, Yolo, Colusa, Glenn, Butte, Plumas, Tehama, Trinity, Shasta, Lassen, Modoc and Siskiyou Counties.

Section 11—Election of Councilors

District Councilors shall be elected by vote of the delegates from each district in the manner and at

the time specified in the by-laws; provided, however, that at the first meeting of the House of Delegates after a District Councilor has been selected, his name shall be submitted to the House by the delegates from the district, and (1) if there is no challenge by any delegate then the Speaker shall declare his election completed, and (2) if any delegate shall challenge the election on any ground, including fitness of the nominee of the district to serve as a District Councilor, the questions presented by the challenge shall be submitted to a Qualifications Committee consisting of the President, President-Elect and one delegate, appointed by the Speaker, from the Councilor District involved. The Qualifications Committee shall consider all grounds upon which the nominee is challenged and report back to the House. If the committee reports in favor of confirming the nominee's election, the Speaker shall declare him elected. If the committee reports against confirming the nominee's election, a three-fourths affirmative vote shall be necessary to sustain the report of the committee, in which event the nominee shall be ineligible to serve as the District Councilor and the delegates from the district shall immediately proceed to the selection of another nominee for the vacant office. If an adverse report of the Qualifications Committee is not sustained then the nominee shall be declared elected by the Speaker.

Section 14—Election of Councilors on Adoption of Amendments to This Constitution

Upon the adoption of Amendments to Article III, Part B, Sections 9, 10, 11 and 14 of this Constitution, the Delegates from each of the Councilor Districts shall proceed to elect District Councilors as follows:

At the annual meeting at which these Amendments to the Constitution are adopted, each District shall elect the number of Councilors to which the District is entitled, in accordance with Section 9, as amended, to serve for a term of three years.

Upon the adoption of the Amendments to this Constitution and the election of District Councilors, in accordance with the said Amendments, the terms of office of the Councilors-at-Large, holding office at the time of the adoption of the Amendments, will immediately cease and terminate.